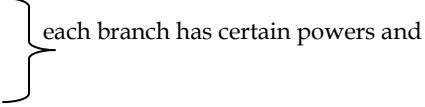


Six basic principles of the Constitution

1. Popular Sovereignty
 - a. People are the only source of governmental power
 - b. Government can only govern with the consent of the people
2. Limited Government
 - a. Government is not all powerful
 - b. May only do what the people have given it to do
 - c. Government must obey the law
 1. Rule of law: government and its officers are ALWAYS subject to law
 2. Constitutionalism: government must be conducted according to the Constitution
3. Separation of Powers
 - a. Powers of government are equally distributed between the branches of the government
 - b. Article I: sets up the Legislative branch
 - Article II: sets up the executive branch
 - Article III: sets up the judicial branch

each branch has certain powers and responsibilities
4. Checks and Balances
 - a. Each branch has its own powers but each branch also has the power to require the other branches to Constitutional checks
 - b. Congress can...
 - i. Make the law which the president can veto
 - ii. Congress can override the veto with a 2/3 vote in each house
 - c. President can...
 - i. Name all Federal judges but each appointment must be approved by the Senate
 - d. Courts can...
 - i. Determine the Constitutionality of Congress and Presidential actions
5. Judicial Review
 - a. Power to decide whether what the government does is in accord with what the Constitution provides
 - b. The Supreme Court can determine whether or not a government action is in agreement with the Constitution
6. Federalism
 - a. Division of power among a central government and several regional governments
 - b. Keeps the central government from being too powerful
 - i. Central government has certain powers
 - ii. State/local government has certain powers

Amending the Constitution

1. Amendment: changes in the written word of the Constitution
 - a. Formal amendment: changes or additions that become part of the written language of the Constitution
 - b. Proposal is always made from the national level and approved on the state level
2. Four ways to change the document
 - a. Amendment proposed by 2/3 vote in each house of Congress and ratified by $\frac{3}{4}$ of the state legislatures
 - b. Proposed by Congress ratified by state conventions convened especially for the purpose of ratifying the amendment
 - c. Proposed by National Convention called at the request of 2/3 of the state legislatures (never been done)
 - d. Proposed by national convention and ratified by state conventions in $\frac{3}{4}$ of the states
3. Not everyone approves of these ways to amend the constitution because they think the state's population should vote on the amendment
4. If a state rejects an amendment, it has the right to reconsider the amendment at a later date but once a state approves an amendment, it cannot change its mind
5. 27 Amendments
 - a. Bill of Rights
 - i. Required by the anti-federalists to approve the Constitution
 - ii. First 10 amendments

Informal Amendment: Process by which many changes have been made to the Constitution that have not led to changes in the documents written words

1. Typically a result of the day to day operation of the government
2. Four ways to informally amend the Constitution
 - a. Basic Legislation
 1. Congress "fleshes" out areas in which the Framers did not elaborate by adding details and meaning to what is already in the Constitution
 - c. Example: Court System
 - d. Judiciary Act of 1789: all federal courts except the Supreme Court are set up by acts of Congress
 2. Congress has added to the Constitution by the way it has used the powers given to it (basically passing legislation that explains what they think the power means)
 - b. Executive Action
 1. Different ways the President uses the powers the office is given in the Constitution
 - a. Example: Making War...Only Congress can declare war but the president as Commander in Chief can authorize the use of military anywhere in the world

- 2. Executive Agreement: Pact made between the President and another head of state. Unlike a treaty, this does not have to be approved by Senate
- c. Court Decisions
 - 1. The way the Supreme Court interprets and applies legislation
- d. Party Practices: Political maneuvering based on political parties (EX: election of President and the electoral college)
- e. Custom
 - 1. Unwritten Custom such as the VP becoming the president should the Pres. die in office (now the 25th Amendment) or the Cabinet being made up of the heads of each executive department